

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

DEC 02 2008

Stephan Harris, Clerk
Cheyenne

LYNN BOAK, ESQ.
P.O. Box 20912
Cheyenne, WY 82003
(307) 634-6713
E-mail: lynnboaklaw@millelect.com

ELIAS AOUN, ESQ.
1730 N. Lynn St., # A-22
Arlington, VA 22209-2004
Telephone: (202) 257-7796
E-mail: eliaoun@yahoo.com

Attorneys for the Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

MARILYN WALLACE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CIVIL NO: 2:08-cv-00156-CAB

MOTION TO WITHDRAW BY LOCAL COUNSEL

Lynn Boak, having previously entered her appearance as local counsel in the above-captioned matter, hereby requests leave to withdraw as local counsel, and for reasons states as follows:

1. Local counsel was an employee of the Internal Revenue Service for nearly twenty years, having taken an early retirement in January, 2007. Counsel still feels a certain degree of loyalty to the Internal Revenue Service and finds herself in a personally conflicted position regarding this case;
2. Local Counsel is personally acquainted with individuals who may have material knowledge of the facts and circumstances of this case and would be uncomfortable about appearing in an adverse capacity to these individuals;
3. In fairness to the Plaintiff, to whom is owed a duty of loyalty by her attorneys, local counsel would be unable to perform with the requisite loyalty; it is in the best interests of her client that she withdraw as local counsel.

Wherefore local counsel asks leave of the court to withdraw as local counsel, effective immediately.

Respectfully submitted this 1st day of December, 2008.



Lynn Boak, WSB # 5-2102

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Motion to Withdraw by Local Counsel upon the parties by email and by mailing true and accurate copies, postage prepaid, on the 1st day of December, 2008, addressed as follows:

KELLY H. RANKIN
United States Attorney
CAROL A. STATKUS
Assistant United States Attorney
2120 Capitol Avenue, Room 4002
Cheyenne, Wyoming 82001

ADAIR F. BOROUGHS
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 683
Washington, DC 20044

Attorneys for the United States


LYNN BOAK